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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/488,471	01/20/2000	Neelakantan Sundaresan	AM9-99-0201	4485

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Samuel A. Kassatly  
6819 Trinidad Drive  
San Jose, CA 95120

[REDACTED] EXAMINER

NGUYEN, TAM V

ART UNIT	PAPER NUMBER
2172	10

DATE MAILED: 04/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/488,471	SUNDARESAN, NEELAKANTAN
	Examiner Tam V Nguyen	Art Unit 2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 30 January 2003.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-24 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-24 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
 If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### **Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### **Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

1. Claims 1-24 are pending in this action. Claims 1-24 are presented for examination. This office action is in response to the applicant's arguments filed on 1/30/03.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rapaport et al. (US 5890152).

With respect to claims 1, 9 and 17, Rapaport teaches a profile Builder module 211, as illustrated in FIG. 2 and 3a, subjects a user to a series of questions and interactive exercises that build a user's Personal Profile database 107 based on Profile Objects, which are used in evaluating suitability of a retrieved media file (col. 7, lines 44-58) as the step of *receiving any of users' off-line survey or feedback about businesses*. As shown in FIG. 6a, Profile Objects contain bundles of key words and key phrases, which have corresponding signed numeric values

or weights (col. 6, lines 18-43) as the step of *generating rating data from the any of the user's off-line surveys or feedback*. As shown in FIG. 13, by using Personal Feedback browser includes a Media Evaluation module 205, the content of a media file is examined in response to Personal Profile database 107 data set. The examination includes rating methods using Profile Objects containing key words and/or key phrases. The evaluation module creates a variety of indexes that assist a user in determining interest in the content of a media file (col. 10, lines 10-18) as the step of *indexing the rating data by means of an off-line ranking system*. As shown in FIG. 7A (col. 14, line 48-col. 15, line 14) is the step of *storing the rating data indexed by the off-line ranking system, in a ranking repository*. In order to search a media file, Search Engine interface 109 accesses a Search Engine 125 on Internet/Intranet 114 for retrieving. Search Engine interface 109/Search Engine 125 retrieves media files based on user input. Retrieved media files are then transferred to Media Acceptance module 230 where it is determined which media files are within the user's comprehension level. Accepted files are then transferred to Media Evaluation module 205, which also receives the Search subject input data from module 207. Media Evaluation module 205 transfers rating values and file information to Search Results Interface 208 which generates a graphic display, such as display 450 in FIG. 4b, showing the media files located and also providing indicators that illustrate suitability of the media file based on the user's Personal Profile database 107. Search Engine interface 109 also transfers subject match rating of media files to media evaluation 205, which is provided by Search Engine software 125. Display 450 shows various media types including text files, audio files and video files. Indicator value Blocks in fields 411-413 contain index values that indicate the suitability of a particular media file based on a user's data set in Personal Profile database 107 and subject

match rating (FIG. 15a, col. 9, lines 12-40) as the step of *sorting query results generated by the search engine, based on the rating data from the ranking repository, and for generating ranked matches*. Rapaport does not explicitly teach: *the rating data correlates higher quality search matches to higher business satisfaction ratings*. However, as taught by Rapaport, a media file from the Internet is obtained by building a Personal Profile database containing user-specific information, then retrieving a plurality of media files from the Internet based upon a subject key word. The plurality of media files obtained from the Internet will be evaluated based on the Personal Profile database, (col. 3, lines 27-38). Thus, the higher matching through the search by rating data of Personal Profile will be the higher business satisfaction rating. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Rapaport method, system, and program by including the rating data matches to higher business satisfaction rating in order to have a better result of media files from the Internet.

As to claims 2, 10, and 18, Rapaport further discloses including a search results transformer that converts the ranked matches to a user brows able form, (col. 10, lines 19-31).

As to claims 3, 11, and 19, Rapaport further discloses including an indexing engine that indexes web documents to generate indexed data, (col. 9, lines 54-61).

As to claims 4, 12, and 20, Rapaport further discloses including a metadata repository for storing web documents that have been downloaded off-line, (col. 19, lines 50-58).

As to claims 5, 13, and 21, Rapaport further discloses including a query transformer which, when prompted by a query, applies a query request to the indexed data and generates the query results, (col. 22, lines 8-15).

As to claims 6, 14, and 22, Rapaport further discloses further including an on-line ranking system for receiving rating data compiled from an on-line source based on interactive criteria, and for indexing on-line rating data, (col. 14, lines 48-col. 15, lines 14).

As to claims 7, 15, and 23, Rapaport further disclose wherein the any of the users' off-line survey or feedback include any one or more of a questionnaire, a survey, or a non-web based rating service or a web based rating service, (col. 14, lines 49-56 and col. 10, lines 11-18).

As to claims 8, 16, and 24, Rapaport further discloses wherein the interactive criteria assess the quality of a business in terms of any one or more of: customer satisfaction, professionalism, cost, and ease of use of a product or service, (col. 11, lines 52-58).

**Contact Information**

**5. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam V Nguyen whose telephone number is (703) 305-3735. The examiner can normally be reached on 7:30AM-5: 00PM.**

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Kim Yen Vu can be reached on (703) 305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for formal communications and (703) 746-7240 for informal communications.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, Virginia 22202. Fourth Floor (Receptionist).

**6. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.**

TV:tv

04/17/03



JEAN M. CORRIELUS  
PRIMARY EXAMINER